



Fair Political Practices Commission

428 J Street, Suite 620, Sacramento, CA 95814

www.fppc.ca.gov



NEWS RELEASE

For Immediate Release:
September 3, 2003

Contact: Sigrid Bathen
(916) 322-7761

Commission sues to compel Prop. 54 disclosure *Asks court to order Connerly organization to disclose contributors*

The Fair Political Practices Commission today (Sept. 3) filed a civil complaint and motion for preliminary injunction against the American Civil Rights Coalition (ACRC) and its CEO, Ward Connerly, in Sacramento Superior Court. The suit alleges ACRC and Connerly have violated state campaign disclosure laws by failing to file campaign statements reporting the source of almost \$2 million contributed to promote the passage of Proposition 54 on the Oct. 7 ballot.

The motion for preliminary injunction seeks an order from the court requiring ACRC and Connerly to disclose the information prior to the election. **A hearing has been scheduled for 9 a.m. Sept. 26 before Sacramento Superior Court Judge Thomas M. Cecil.**

The FPPC contends that ACRC has contributed more than \$1.9 million to the Proposition 54 committee since 2001 – or approximately 88 percent of all of the contributions received by the committee. Based on information the commission received from Connerly, the FPPC contends ACRC received the contributions from various donors. The organization is then required by the Political Reform Act to disclose in regularly filed campaign statements the identities of those donors. However, ACRC and Connerly have refused to file statements disclosing these contributors, leaving voters without any information about who is financing the campaign to win passage of the initiative.

“Timely disclosure is the backbone of the Political Reform Act,” said Commission Chair Liane Randolph. “Voters have a basic right to know who is funding political campaigns. They are entitled to this information in order to make well-informed decisions at the polls.”

Steven Russo, chief of the FPPC’s Enforcement Division, said ACRC and Connerly “have left us with no other option than to file suit to compel their compliance with the law. We had hoped that they would voluntarily comply with their disclosure requirements, but they simply have not done so. We will now act through the courts to try to ensure that voters receive the information to which they are entitled.”

This is the first time the FPPC has ever filed suit *before* an election to require campaign disclosure. The matter was originally brought to the attention of the FPPC in a complaint filed

-more-

2-2-2-2

July 2, 2002, by California Common Cause and other organizations. The complainants filed a Demand for Civil Action with the FPPC on Aug. 19, 2003. The matter has been under investigation by the FPPC since the filing of the original complaint.

The complaint, motion for preliminary injunction, and supporting points and authorities are attached, and are available on the FPPC Web site at www.fppc.ca.gov. Go to “litigation” on the left side of the home page.

An administrative settlement – called a stipulation – is the FPPC’s most common method of prosecuting enforcement actions, with a maximum penalty of \$5,000 for each violation. The commission is also empowered under the Political Reform Act to file civil suits, with penalties ranging up to the amount not properly reported.

###